REMARKS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested. Claim 1, 2, 6, 7, 11, 12, 15 and 23 are amended.

Rejection of Claims 1-30 Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-30 under 35 U.S.C. §103(a) as being unpatentable over Ngo et al. (U.S. Patent No. 5,933,150) ("Ngo et al.") in view of Kroitor (U.S. Patent No. 5,854,634) ("Kroitor"). Applicant has amended the claims to more appropriately define the invention. Applicant respectfully submits that the claims as amended are patentable over Ngo et al. and Kroitor.

We first discuss claim 1. Claim 1 is amended to recite that the computer readable instructions insert text anchors into a second window by, for each anchor, selecting a desired emotion from a plurality of predetermined emotions. Support for this limitation is found in, for example, Figure 11A and Figure 11B and associated discussion, wherein emotions such as anger, surprise and a big smile are selected as text anchors.

The Office Action on page 2 asserts that the step of inserting anchors onto a second window by, for each anchor, selecting a desired pose from a plurality of predetermined poses is taught by Ngo et al. in column 6, lines 47-67. Here Ngo et al. discuss four image examples that are associated with a vertex of a geometric shape. These figures are shown in Figures 2A-2D. These stick figures illustrate data structures associated with these images. Figure 3 shows the data structure wherein the user includes a point which represents a position in which the image is weighted. Applicant respectfully submits that neither Ngo et al. nor Kroitor teach a text anchor that can be an emotion. For example, in Ngo et al. the stick figures of Figures 2A-2D clearly show no emotion inasmuch as the stick figures have no expression in their faces. Similarly, Kroitor does not show a text anchor that has emotion, but rather various vertices with either

image as shown in Figure 3, general eye shapes as shown in Figure 5 or letters which are associated with a position of fins in Figure 6. In no case in the teachings of Kroitor or Ngo et al. do they teach or suggest that text anchors that are associated with a desired emotion such as anger or surprise. Accordingly, Applicant's respectfully submit that the feature of inserting text anchors into a window by, for each anchor, selecting a desired emotion from a plurality of emotions is not taught or suggested in the combination of references.

The Office Action appropriately concedes that Ngo et al. fail to teach "upon a cursor being dragged over a second window to a desired anchor, additively applying characteristics for the desired anchor to the desired image based on the proximity of the cursor to the desired dot anchor." However, the Office Action asserts that Kroitor teaches this feature by using a cursor to drag or move the points within state zones at column 6, lines 24-46. Applicant notes that there is nothing in this portion of Kroitor or elsewhere in Kroitor that relates to text anchors being associated with emotions of the image. Column 6 of Kroitor merely discusses how it is important that the system provide for a vector-based image as opposed to bit-map drawings such that line segments drawn by the animator may be mathematically defined and processed by the computer. There is no discussion beyond generic three-dimensional movements of the images as is shown in the figures such as Figures 3 and 4 which would suggest that rather than manipulating simple features such as a mouth shape that rather enabling the anchors to be associated with a desired emotion which requires more analysis and modification of the image. Accordingly, Applicant respectfully submit that claim 1 is patentable and in condition for allowance. Claims 2-5 each depend from claim 1 and recite further limitations therefrom. Accordingly, Applicant respectfully submits that these claims are patentable as well.

Claim 2 is amended to recite that the characteristics of the anchors are at least one of anger, surprise and happy. Applicant submits that the references fail to teach these emotions.

Claim 6 also recites the step of inserting text anchors into a second window by, for each anchor, selecting a desired emotion from a plurality of preselected emotions. When the cursor is dragged through a second window to a desired anchor the characteristics of the emotion associated with the desired anchor are additively applied to the desired image based on a proximity of the cursor to the desired anchor. As noted above, Applicant submits that these limitations are not taught or suggested in the combination of the prior art. Claims 7-10 depend from claim 6 and recite further limitations therefrom. Accordingly, Applicant submits that these claims are patentable as well.

Independent claim 11 recites similar limitations to those discussed above. Accordingly, Applicant submits that claim 11 and dependent claims 12-14 are patentable and in condition for allowance.

Claim 15 also recites a method of dragging a pointer over an arrangement of a plurality of text anchors, wherein each anchor represents a displacement of a state of a graphics-based object from a base state associated with an emotion of the graphics-based object. As discussed above, the prior art fails to discuss or suggest or teach emotions associated with the anchors. Accordingly, Applicant submits that claim 15 and dependent claims 16-22 are patentable and in condition for allowance.

Claim 23 recites further limitations similar to those of claim 15 and accordingly, Applicant submits that claims 23 and dependent claims 24-30 are patentable and in condition for allowance.

CONCLUSION

Having addressed all rejections and objections, Applicant respectfully submits that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Law Office of Thomas M. Isaacson, LLC, Account No. 50-2960** for any deficiency or overpayment.

Respectfully submitted,

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By: _____

Thomas M. Isaacson

Attorney for Applicant
Reg. No. 44,166
Phone: 410-286-9405
Fax No.: 410-510-1433

Correspondence Address:
Thomas A. Restaino
Reg. No. 33,444
AT&T Corp.
Room 2A-207
One AT&T Way
Bedminster, NJ 07921